

## **REMARKS**

In the Final Office Action mailed December 12, 2006, the Examiner rejected claims 8-11, 22, and 26-29 under 35 U.S.C. § 103(a) as being unpatentable over Mack (U.S. Patent No. 6,192,044) in view of Myrick et al. (U.S. Patent No. 5,978,852), and further in view of Lorenz (U.S. Patent No. 5,892,922). Claims 12-21, 23, 24 and 30-39 are currently withdrawn from consideration as being drawn to a non-elected invention.

Applicants respectfully traverse the rejections of claims 8-11, 22, and 26-29 for at least the following reasons.

### ***The Interview Conducted February 9, 2007***

Applicants wish to thank Examiners Beatriz Prieto and Benjamin A. Ailes for the courtesies extended during the interview held February 9, 2007, with Applicants' representative. During the interview, Applicants' representative explained that the rejections set forth in Final Office Action lack support in Mack, Myrick et al. and Lorenz, whether taken alone or in combination. As requested by the Examiners, Applicants submit the following remarks to reiterate the arguments presented in the interview.

### ***Claims 8, 22 and 26***

With respect to claims 8, 22 and 26, the Examiner asserts that

Mack teaches the use of a lookup service in a network system wherein a user queries the lookup service to acquire access to further locations within the network, the lookup service including the ability to send the requestor necessary information in order to complete the connection, *deemed functionally equivalent to applicant's claimed stub or serialized object*.

*Office Action (December 12, 2006), p. 2, l. 24 through p. 3, l. 4 (citing Mack, col. 4, ll. 30-35; col. 6, ll. 33-45 and FIGS. 7-8).*

The Examiner goes on to assert that “[t]he claim limitation ‘stub’ as read broadly is software or equivalent thereof that aids a user to access a service. What is cited in Mack (col., 6, ll. 37-45) is merely an example of a lookup service (194) ‘stub’ and therefore is within the scope of the claim having the same claimed functionality.” *Office Action (December 12, 2006)*, p. 5, ll. 9-13.

However, Applicants respectfully disagree with the Examiner’s assertion that Mack teaches either a stub or a serialized object. As explained in the responses filed October 7, 2003 and February 9, 2006, Applicants have provided a section of the specification entitled, “The Lookup Service Definition.” In that section, Applicants state that “a ‘stub’ is code and data that facilitates access to a remote function, and a ‘serialized object’ is an object placed in serialized form.” *Specification*, p. 13, ll. 8-9. The term “stub” in Applicants’ claims must be interpreted in light of the definition provided in Applicants’ specification. M.P.E.P. § 2111.01 (8th Ed., Rev. 5, Aug. 2006).

Mack describes a system 10 for establishing a network telephone connection between a caller PC 14 and a callee PC 18. With reference to FIG. 7, the portion of Mack cited by the Examiner as teaching a “stub” (i.e., Mack, col. 6, ll. 37-45) reads, in its entirety, as follows:

FIG. 7 is a flowchart illustrating the processing steps for a lookup service, in accordance with one embodiment of the present invention. In step 700, a caller 14 sends a request to a lookup server 194. This request includes a user identifier that is unique to the callee 18. For example, a user identifier can include a person's name, postal address, electronic mail address, social security number, and other commonly used identifiers. In step 702, the lookup service 194 queries an association table with the user identifier for a *user network access provider machine address and also the user telephone number*. In step 704, the look-up service 194 sends the caller 14 this *user address and telephone number*.

Mack, col. 6, ll. 37-45 (emphasis added).

Contrary to the Examiner's assertions, the "information" the lookup server 194 sends to the caller 14 is not "code and data that facilitates access to a remote function." Rather, the information is described only as an *address and telephone number*. Thus, the information is not a "stub" as that term is used in the rejected claims. Further, the "information" the lookup server 194 sends to the caller 14 is not "software or equivalent thereof that aids a user to access a service." Thus, the information does not even meet the Examiner's own definition of a "stub." *Office Action (December 12, 2006)*, p. 5, ll. 9-13. Consequently, the "information" the lookup server 194 sends to the caller 14 is neither a stub, nor a serialized object as alleged by the Examiner.

Further, neither Myrick et al. nor Lorenz are relied upon to teach the claimed stub or serialized object, and neither of these references cure the above-noted deficiency of Mack. Rather, Myrick et al. discloses an "address look-up table" which contains the addresses of workstations residing on a local area network (LAN). Myrick et al., col. 1, ll. 48-60. And Lorenz discloses a "memory look-up table 30" that contains pointers to addresses in a memory. Lorenz, col. 4, ll. 9-13.

Thus, contrary to the Examiner's assertions, Mack, Myrick et al. and Lorenz (whether viewed singly or in any combination) do not teach or suggest the claimed service item containing one of a stub or serialized object for use in accessing at least one of the services. Even if the "address and telephone number" of Mack is "functionally equivalent" to a stub or serialized object, as alleged by the Examiner, the Examiner has shown no suggestion or motivation to modify the system of Mack to produce the claimed invention.

In addition, the Examiner admits that “Mack does not . . . explain how the lookup service is updated or maintained.” *Office Action (December 12, 2006)*, p. 3, ll. 5-6. And the Examiner further admits that “Myrick does not . . . teach the step of ‘updating the lookup service such that the associated services unaffected by the update continue to be available for use while the update occurs.’” *Id.*, p. 3, ll. 14-16. In an attempt to cure this deficiency, the Examiner cites Lorenz as teaching “concurrent database accessing/updating . . . wherein a database memory look-up table can be updated and maintained and a lookup service can run simultaneously,” and asserts that it would have been obvious to combine the features taught and described by Myrick and Lorenz with the teachings of Mack. *Id.*, at p. 3, ll. 17-20.

However, Applicants respectfully disagree with the Examiner’s characterization of Lorenz. Contrary to the Examiner’s assertions, Lorenz does not teach “concurrent database accessing/updating.” Rather, in the Lorenz system, “[a] switch processor 52 initializes, updates and maintains the memory look-up table 30” (which the Examiner equates with the claimed lookup service). Lorenz, col. 4, ll. 23-25. Access to the memory lookup table 30 is controlled by a “req\_arb state machine” represented in FIG. 5. *Id.*, col. 4, ll. 46-48. “The req-arb state machine has the states idle, look-up also referred to as gbi, and processor also referred to as proc [(indicating that the switch processor 52 is updating the memory lookup table 30)].” *Id.*, col. 2, ll. 53-55. “[O]nly one of the states is active at any one time.” *Id.*, col. 6, ll. 9-10. “When the req\_arb state machine [51] is in the gbi state [(i.e., the look-up state, indicating that the memory look-up table 30 is being used)] . . . . [a]ny access from the [switch] processor [52], read or write, is stalled until the look-up is completed.” *Id.*, col. 4, ll. 63-65.

Thus, contrary to the Examiner's assertions, the req\_arb state machine effectively *prevents* use of the data in the memory lookup table 30 while a write update occurs. Consequently, even if "[o]ne of ordinary skill in the art . . . would have found it obvious to combine the features taught and described by Myrick and Lorenz with the teachings of Mack" (which Applicants dispute), the resulting system would not allow "updating the lookup service such that the associated services unaffected by the update continue to be available for use while the update occurs," as alleged by the Examiner.

For at least these reasons, Applicants submit that the Examiner's rejections of claims 8, 22 and 26 under 35 U.S.C. § 103(a) lack support in Mack, Myrick et al. and Lorenz, taken alone or in combination. Accordingly, Applicants respectfully request that the rejections of claims 8, 22 and 26 under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

***Claims 9-11 and 27-29***

Claims 9-11 and 27-29 depend from one of claims 8 and 26. As explained, the Examiner's rejection of claims 8 and 26 lacks support in Mack, Myrick et al. and Lorenz, whether taken alone or in any combination. Therefore, the rejections of claims 9-11 and 27-29 likewise lack support in Mack, Myrick et al. and Lorenz for at least the same reasons given above with respect to independent claims 8 and 26. Accordingly, Applicants respectfully request that the rejections of claims 9-11 and 27-29 under 35 U.S.C. 103(a) be withdrawn and the claims allowed.

***Conclusions***

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

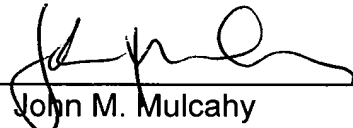
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: February 12, 2007

By: \_\_\_\_\_

  
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